

September 20, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Communication, CS Docket No. 97-80, MB Docket No. 16-42

Dear Ms. Dortch:

On September 16, 2016, Senator Gordon H. Smith and the undersigned of the National Association of Broadcasters (NAB) had a telephone conference with Commissioner Jessica Rosenworcel and her legal advisor, Marc Paul, to discuss the Commission's current proposal in its set-top box proceeding.

NAB reiterated its concerns regarding the Commission's proposed licensing scheme in the set-top-box proceeding and, in particular, the potential for the Commission or its staff to substantively alter broadcasters' privately negotiated agreements concerning the use of their content or the application of those agreements to third-party set-top box licensees. Commission involvement in writing the substantive terms of any license under this proposal would exceed the Commission's authority and fatally undermine the Commission's stated goal of protecting content and respecting copyright and contracts.

Respectfully Submitted,



Rick Kaplan
General Counsel and Executive Vice President,
Legal and Regulatory Affairs
National Association of Broadcasters

cc: Commissioner Jessica Rosenworcel
Marc Paul